

**REGULAR MEETING OF THE  
BRIGHAM CITY COUNCIL  
OCTOBER 29, 2009**

PRESENT:	Lou Ann Christensen	Mayor
	Bruce Christensen	Councilmember
	Scott Ericson	Councilmember ( <i>arrived at 7:45 p.m.</i> )
	Reese Jensen	Councilmember
	Ruth Jensen	Councilmember
	Bob Marabella	Councilmember

ALSO PRESENT:	Rick Bosworth	Human Resource Coordinator
	Jim Buchanan	Emergency Services Director
	Dave Burnett	Interim Public Power Director
	Mary Kate Christensen	City Recorder
	Blake Fannesbeck	Public Works Director
	Sue Hill	City Librarian
	Jared Johnson	Community Development Manager
	Bruce Leonard	City Administrator
	Sarah Lundberg	Museum-Gallery Director
	Jason Roberts	Finance Director
	Paul Tittensor	Police Chief
	Alan Wright	Public Power Director

Mayor Christensen called the meeting to order. The Reverence Period was given by Councilmember Reese Jensen. The scouts in the audience led the Pledge of Allegiance.

Approval of Minutes. Councilmember Christensen noted that in the title of the work session it reads "Ares" instead of "Areas." Also, it states that Mayor Christensen presented the agenda and she was not in attendance. It should say Mayor Pro Tem Jensen. Councilmember Ruth Jensen also noted that in the motion on page 7, line 22, it states that voting was unanimous and it was not. She voted nay. Councilmember Marabella made a motion to approve the October 1, 2009 Work Session, Council and Executive Session as amended. The motion was seconded and carried. Mayor Christensen presented the agenda as follows:

**PUBLIC COMMENT**

**CONSENT**

- Appointment to the Public Utility Advisory Board
- Re-Appointment to the Airport Advisory Board
- Re-Appointments to Community Emergency Response Team Council
- Request to Schedule a Special Meeting on November 17, 2009 at 5:00 to Canvass the General Election
- Re-Appointment to the Youth Commission Executive Board

**PUBLIC HEARING**

- Community Development Block Grant (CDBG) Hearing to Consider Potential Projects for Funding Under the CDBG Small Cities Program for Program Year 2010

**SCHEDULED DELEGATION**

- Report from the Natural History Museum Task Force

**NEW BUSINESS**

- Ordinance Amending Title 22.01.300, "Required Connection with Sewer," to Require Property Owners to Connect When Their Existing Septic Tank Fails Rather Than When Mandated by the City
- Request to Establish Library Construction Accounts and to Increase said Accounts by \$650,000 from Monies Received from a Federal Pre-Mitigation Grant and Award the Library Seismic Upgrade to Ascent Construction

**MAKING LIFE BETTER - DEPARTMENT REPORTS**

**CLAIMS**

- Payment Register

Councilmember Christensen made a motion to approve the agenda as amended. The motion was seconded and carried unanimously.

## **PUBLIC COMMENT**

There were no comments from the public.

## **CONSENT**

### **Appointment to the Public Utility Advisory Board**

It was recommended Wendy Douglas be appointed to the Public Utility Advisory Board.

### **Re-Appointment to the Airport Advisory Board**

Byron Hansen was recommended for re-appointment to the Airport Advisory Board.

### **Re-Appointments and Appointments to Brigham City Citizens Corps Council**

It was recommended Albert Thorson be reappointed to the Citizen Corps Council. It was also recommended Dean Lowder, Doug and Peggy Harford, Chad Jenkins, Ryan Smith, Dr. Jim Liebelt and Gerry Ferguson be appointed to the same board.

### **Re-Appointments to Community Emergency Response Team Council**

It was recommended Carol Barello, Bill Holt, Jill Crowther, Mike Allen, Hal Berry, Margaret Tomany, Bill Owen and Marlene Harper be appointed to the Community Emergency Response Team Council.

### **Request to Schedule a Special Meeting on November 17, 2009 at 5:00 to Canvass the General Election**

It was requested a special meeting be scheduled for November 17 at 5:00 to canvass the results of the General Election.

### **Re-Appointment to the Youth Commission Executive Board**

It was recommended Dr. Carey Lloyd be re-appointed to serve on the Youth Commission Executive Board.

## **PUBLIC HEARING**

### **Community Development Block Grant (CDBG) Hearing to Consider Potential Projects for Funding Under the CDBG Small Cities Program for Program Year 2010**

Mr. Rick Bosworth came forward and explained that the purpose of this public hearing is to hear input on projects people want considered for funding through the CDBG Program. It is expected that \$700,000 will be available in the Bear River Region, \$400,000 which will be available for infrastructure projects. All projects must meet national HUD objectives to benefit low to moderate income individuals. Projects that displace low to moderate income persons are not likely to receive funding. The range of projects that are eligible include infrastructure projects for improvements to water and sewer, fire stations, street improvements, curbs, public service projects for seniors, youth and battered spouses.

A motion to open the public hearing was made by Councilmember Christensen, seconded and carried.

Rae Reiser - Ms. Reiser, former director of the Box Elder Food Pantry, came forward and said they would like to apply for CDBG monies to construct a building to protect their new fridge and freezer. They are now out in the open. They would also like to install four air-conditioning units for the office areas. She received an estimate of \$74,500. She would like to apply for \$74,500-\$77,000.

Dave Sheuster - Mr. Sheuster from Neighborhood Nonprofit in Logan requested that Brigham City sponsor the Brigham City home improvement project again. This was also done in 2005 and 2008. Last year they had over 50 people attend the first meeting and 22 applications for homes that were low to medium income families that needed home repairs. They did projects for ten families. They had some money left from that grant and was able to do two more. The average median income of the families was 39%. They asked for \$100,000 again.

A motion to close the public hearing was made by Councilmember Reese Jensen, seconded and carried.

## **SCHEDULED DELEGATION**

### **Report from the Natural History Museum Task Force**

Mr. Ron Cefalo came forward and reported that this Task Force was assigned the task of determining the feasibility of a Natural History Museum in Brigham City. When they contacted the National Science Foundation they found out that task forces are not a negotiating body, but they received some good information what to look for when applying for national funds, such as matching money, community need, location, what it will do for the community. In order for the Foundation to donate anything, a proposal must come from a foundation. He recommended a foundation be set up to receive money from possible donors.

The Task Force looked at what type of project should be considered. They looked at the proposed new museum and realized that the \$9 million cost would be difficult to come up with. They also looked at the possibility of building a new City building and using the current City Hall as a museum, which would cost less than a new museum. Another location they looked into was the USU K-Mart Building as a possible multi-use building. The Task Force determined that if there is going to be a Natural History Museum it probably will not be a stand-alone entity. It would need to be a multi-use facility with an art museum and a carriage museum, for example.

Mr. Cefalo said the group has identified several potential donors willing to undertake such a venture; however, the Task Force is not a negotiating body so they did not approach anyone. They felt the City needs to make a decision which direction to go.

The Task Force also discussed how to secure the Gunther collection. They have also been approached by other people who have sizable collections that are willing to donate them to the City if a museum came to fruition.

Mr. Cefalo added that Mr. Gunther's collection is well worth Brigham City's attention. The Gunthers are known internationally for much of their work.

Mayor Christensen asked if the Task Force looked into using the Academy Square Foundation. Mr. Cefalo stated that most of the national foundations are very specific about the type of foundation they will donate to. For example, the National Science Foundation will only donate to a science foundation. In addition, there is a lot of competition for national foundation money. He felt that it would be possible to get donations from local people, especially if it is a multi-use facility.

## **NEW BUSINESS**

### **Ordinance Amending Title 22.01.300, "Required Connection with Sewer," to Require Property Owners to Connect When Their Existing Septic Tank Fails Rather Than When Mandated by the City**

Mr. Leonard stated that the current ordinance requires citizens to hook up to the sanitary sewer if the sewer main is within 200' of their dwelling. There are only 11 dwellings that are not connected to the City's sewer system. The City has encouraged these individuals to connect to the system, but it was a financial hardship for them and they had a good working septic system and wanted that to continue. In 2006 the City approved a resolution to allow these individuals to continue to use their septic tanks but they would have to pay the monthly user fee. Since that time some of these individuals expressed concern that they were being charged for a service which they were not receiving. This amended ordinance changes the language to "the City *may* require them to hook up to the sewer system." They can continue to use their existing septic tank until it fails and will not be required to pay the monthly user fee.

Mr. Fonnesbeck added that the current ordinance states that the fees they have been paying will go toward their connection fees when they are ready to connect to the system. They would still have to pay impact fees.

MOTION: Councilmember Reese Jensen made a motion to rescind Resolution No. 06-01.  
Councilmember Christensen seconded the motion. All councilmembers voted aye.

MOTION: Councilmember Reese Jensen made a motion to approve the ordinance amending Title 22.01.300 to require property owners to connect when their existing septic tank fails rather than when mandated by the City, seconded by Councilmember Ruth Jensen. Voting was unanimously in favor.

**Request to Establish Library Construction Accounts and to Increase said Accounts by \$650,000 from Monies Received from a Federal Pre-Mitigation Grant and Award the Library Seismic Upgrade to Ascent Construction**

Mr. Buchanan came forward and requested authorization to open the General Fund budget to show a \$650,000 increase in revenue which was not originally budgeted and to set up a revenue and expense account for the mitigation grant. He also requested that Ascent Construction be awarded the bid and that Mayor Christensen be authorized to sign the construction contract.

MOTION: Councilmember Ericson made a motion to establish an account to take the \$650,000 from a Federal Pre-Mitigation Grant for the Library seismic upgrade, to award the contract to Ascent Construction and authorize the Mayor to sign the contract award. The motion was seconded by Councilmember Ruth Jensen and unanimously carried.

**MAKING LIFE BETTER - DEPARTMENT REPORTS**

Mr. Johnson reported on some of the larger projects in the City. The Rocky Mountain Power project is behind schedule. They planned to begin on the east bench on October 12 but they have not started yet. They are still planning to have the foundations drilled, the concrete drilled and the poles standing this year. They will pull the wire in the spring and do the reclamation of the hillside. El Paso Gas, the company constructing the Ruby Pipeline, has filed an application for a conditional use permit and will go to the Planning Commission on November 17.

Mr. Johnson stated that he researched several documents to respond to Ms. Claudia Ross's concerns about trees being planted that were promised by the developers of the Eagle Mountain properties. He was unable to find any kind of agreement or contact that states that they are responsible for the trees. He found copies of draft design standards, but nothing final that was approved by the City. He and Mr. Leonard are going to meet with Ms. Ross to see if she has more information to help them.

**CLAIMS**

**Payment Register**

Councilmember Ruth Jensen moved to approve General Claims dated October 20, 2009 in the amount of \$1,147,718.85 and claims dated October 28 for \$235,870.68. The motion was seconded and carried.

A motion to adjourn to an Executive Session to discuss the purchase, exchange or lease of real property was made by Councilmember Ruth Jensen. A roll call vote was taken with all councilmembers voting aye. The meeting adjourned to a closed session at 8:03 p.m. The Council returned to an open meeting at 8:20 p.m. and adjourned.